

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Avolio et al.
Serial No.:	10/551,564
Docket No.	ITT0055P
Filed:	October 3, 2005
For:	INDOLE ACETAMIDES AS INHIBITORS OF THE HEPTATITIS C VIRUS NS5B POLYMERASE

Art Unit:  
Not Yet Assigned

Examiner:  
Not Yet Assigned

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Sir:

Enclosed is the Declaration under 35 U.S.C. 371, being submitted in response to the Notification of Missing Requirements mailed May 8, 2006 (hereinafter "Notice"). A copy of the Notice is also enclosed.

Please charge Merck & Co., Inc.'s Deposit Account No. 13-2755 in the amount of \$130.00, the fee for furnishing the declaration later than 30 months from the earliest claimed priority date.

06/08/2006 MKAYPAGH 00000097 132755 10551564

01 FC:1617 130.00 DA

Respectfully submitted,

By

*Kenneth R. Walton*

Kenneth R. Walton, Reg. No. 32,951  
Attorney for Applicants  
MERCK & CO., Inc.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
Tel.: (732) 594-3462

Date: June 1, 2006

Enclosures

**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.**

MERCK & CO., INC.

By *Janice R. Del* Date *June 1, 2006*

I+H055P



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,564	Salvatore Avolio	ITT0055P

INTERNATIONAL APPLICATION NO.

PCT/GB04/01437

I.A. FILING DATE

04/02/2004

PRIORITY DATE

04/04/2003

210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

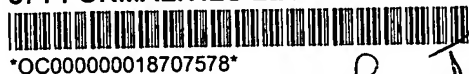
PATENT DEPARTMENT

MAY 1 2006

KENNETH R. WALTON

CONFIRMATION NO. 4316

371 FORMALITIES LETTER



\*OC000000018707578\*

NMP  
Declaration  
due  
7-6-06

Date Mailed: 05/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/03/2005
- Copy of the International Search Report filed on 10/03/2005
- Preliminary Amendments filed on 10/03/2005
- Information Disclosure Statements filed on 10/03/2005
- U.S. Basic National Fees filed on 10/03/2005
- Priority Documents filed on 10/03/2005
- Specification filed on 10/03/2005
- Claims filed on 10/03/2005
- Abstracts filed on 10/03/2005

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MAY 17 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,564	PCT/GB04/01437	ITT0055P

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Alexandria, VA 22313-1450

LETTER

Sir:

It is believed that a copy of the International Preliminary Examination Report (IPER) for International Application No. PCT/GB2004/001437 has been or will shortly be communicated by the International Bureau. Nonetheless, out of an abundance of caution, a copy of the IPER is enclosed herewith.

Respectfully submitted,

By:



Kenneth R. Walton, Reg. No. 32,951  
Attorney for Applicants  
MERCK & CO., Inc.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
Tel.: (732) 594-3462

Date: June 1, 2006

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**MERCK & CO., INC.**

By Jamika R. Sutton Date June 1, 2006